

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CURTIS NEVA,

Civil No. 08-546 MJD/AJB

Plaintiff,

v.

O R D E R

V.A. HOSPITAL,

Defendant.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Arthur J. Boylan dated April 24, 2008, all the files and records, and no objections having been filed to said Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed in forma pauperis, (Docket No. 2), is DENIED AS MOOT;

2. Plaintiff's letter dated April 21, 2008, (Docket No. 9), be construed as a request for voluntary dismissal pursuant to Fed. R. Civ. P. 41(a), and that such request is GRANTED; and

3. This action is summarily DISMISSED WITHOUT PREJUDICE pursuant to Fed. R. Civ. P. 41(a).

DATED: May 21, 2008.

s/Michael J. Davis
Judge Michael J. Davis
U. S. District Court Judge